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Attorney Docket No. 55535(1699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: de Juan et al.

U.S.S.N.: 09/756,649

ART UNIT: 3739

FILED: January 3, 2001

EXAMINER: Unknown

FOR: SURGICAL DEVICES AND METHODS OF USE THEREOF FOR  
ENHANCED TACTILE PERCEPTION

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on April 27, 2001

By: Annemarie Serrecchia  
Annemarie Serrecchia

\*\*\*\*\*

BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO IS  
THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION**

I, Lisa Swiszc Hazzard (Reg. No. 44,368)  
DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP  
Intellectual Property Practice Group of  
EDWARDS & ANGELL, LLP  
130 Water Street  
Boston, MA 02109  
Tel. No. (617) 523-3400

state I am a registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.

Date: April 26, 2001

Lisa Swiszc Hazzard (Reg. 44,368)

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Practitioner's Pocket No. 55535(71699)

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

☒ In re application of: de Juan et al..

☐ Patentee \_\_\_\_\_

☒ Application No.: 09/756,649

☐ Patent No.: \_\_\_\_\_

☒ Filed on: January 3, 2001

☐ Issued on: \_\_\_\_\_

Title: **SURGICAL DEVICES AND METHODS OF USE THEREOF FOR ENHANCED TACTILE PERCEPTION**

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)—NONPROFIT ORGANIZATION)**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Nonprofit Organization Johns Hopkins University  
Address of Nonprofit Organization 720 Rutland Avenue, Baltimore, MD 21205

**TYPE OF NONPROFIT ORGANIZATION**

- ☒ University or Other Institution of Higher Education  
☐ Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501 (c)(3))  
☐ Nonprofit Scientific or Educational Under Statute of State of the United States of America  
(Name of State \_\_\_\_\_)  
(Citation of Statute \_\_\_\_\_)  
☐ Would Qualify as Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)), if Located in the United States of America  
☐ Would Qualify as Nonprofit Scientific or Educational Under Statute of State of the United States of America if Located in the United States of America  
(Name of State \_\_\_\_\_)  
(Citation of Statute \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention described in

- ☐ the specification filed herewith, with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to, and remain with, the nonprofit organization, with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c), if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e)

*\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27).*

Each such person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern, or organization exists.

☐ Each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

*(check the following item, if desired)*

**NOTE:** *The following verification statement need not be made in accordance with the rules published on October 10, 1997, 62 Fed. Reg. 52131, effective December 1, 1997.*

**NOTE:** *"The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 CFR 1.4(d)(2).*

[X] I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing R. Keith Baker, Ph.D.  
Title in Organization Acting Director, Office of Technology Licensing  
Address of Person Signing 111 Market Place, #906, Baltimore, MD 21202

SIGNATURE

R. Keith Baker

Date

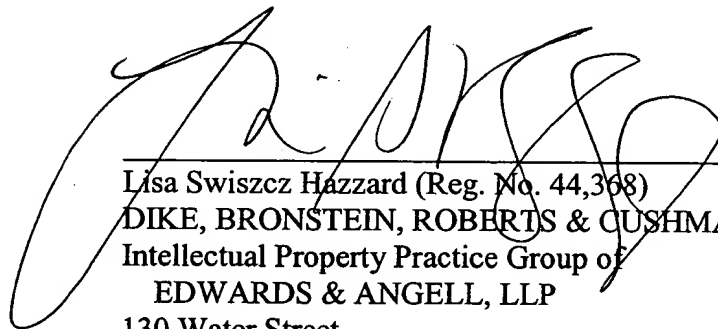
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#163703

de Juan et al.  
U.S.S.N.: 09/756,649  
Page 3

excess fee paid, you are hereby authorized and requested to charge Deposit Account No.  
**04-1105.**

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Lisa Swiszczy Hazzard', is written over a horizontal line.

Lisa Swiszczy Hazzard (Reg. No. 44,368)  
DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP  
Intellectual Property Practice Group of  
EDWARDS & ANGELL, LLP  
130 Water Street  
Boston, MA 02109  
Tel 617-523-3400  
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#166878

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**DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP**  
**Intellectual Property Practice Group of EDWARDS & ANGELL, LLP**  
 130 Water Street  
 Boston, Massachusetts 02109

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SURGICAL DEVICES AND METHODS OF USE THEREOF FOR ENHANCED TACTILE PERCEPTION

which is described and claimed in:

- ☐ the specification attached hereto.
- ☒ the specification in U.S. Application Serial Number 09/756,649, filed on January 3, 2001.
- ☐ the specification in PCT international application Number \_\_\_\_\_, filed on \_\_\_\_\_; and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<b>Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit Under 35 U.S.C. §120</b>				
<b>U.S. Applications</b>		<b>Status (Check One)</b>		
<b>Application Serial No.</b>	<b>U.S. Filing Date</b>	<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
<b>PCT Applications Designating the U.S.</b>				
<b>Application No.</b>	<b>Filing Date</b>	<b>U.S. Serial No. Assigned</b>		

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date
de Juan, et al.	60/174,260	1/03/2000

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sewall P. Bronstein (Reg. No. 16,919)  
David G. Conlin (Reg. No. 27,026)  
George W. Neuner (Reg. No. 26,964)  
Linda M. Buckley (Reg. No. 31,003)  
Peter J. Manus (Reg. No. 26,766)

Peter F. Corless (Reg. No. 33,860)  
Cara Z. Lowen (Reg. No. 38,227)  
William J. Daley, Jr. (Reg. No. 34,587)  
Robert L. Buchanan (Reg. No. 40,927)  
David Tucker (Reg. No. 27,840)

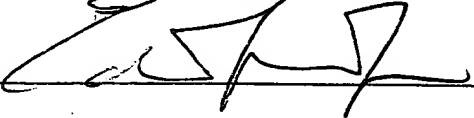

Christine C. O'Day (Reg. No. 38,256)  
Lisa Swiszc Hazzard (Reg. No. 44,368)  
George Hartnell (Reg. No. 44,368)

<b>SEND CORRESPONDENCE TO:</b> Lisa Swiszc Hazzard Dike, Bronstein, Roberts & Cushman, LLP Intellectual Property Practice Group of EDWARDS & ANGELL, LLP 130 Water Street Boston, Massachusetts 02109	<b>DIRECT TELEPHONE CALLS TO:</b>  (617) 523-3400
---	---

201	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		de Juan, JR	Eugene	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	USA	Baltimore	Maryland	USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		13721 Poplar Hill Rd	Phoenix,	Maryland 21131

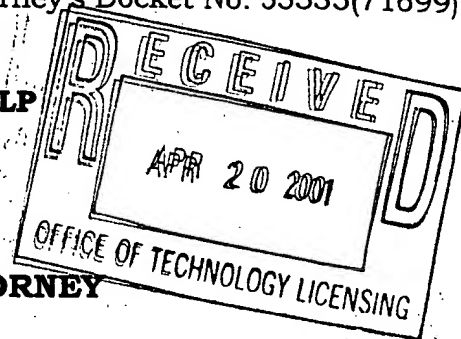
202	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		Jensen	Patrick	S.
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
		Issaquah	Washington	USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		25.025 SE Klahanie BLVD #A-101	Issaquah	Washington 98029

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201 	Signature of Inventor 202 
Date:	Date: 4-13-01



**DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP**  
**Intellectual Property Practice Group of EDWARDS & ANGELL, LLP**  
 130 Water Street  
 Boston, Massachusetts 02109



### DECLARATION AND POWER OF ATTORNEY

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<b>U.S. Applications</b>			<b>Status (Check One)</b>		
<b>Application Serial No.</b>	<b>U.S. Filing Date</b>		<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
<b>PCT Applications Designating the U.S.</b>					
<b>Application No.</b>	<b>Filing Date</b>	<b>U.S. Serial No. Assigned</b>			

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Peter J. Manus (Reg. No. 26,766)

Peter F. Corless (Reg. No. 33,860)  
Cara Z. Lowen (Reg. No. 38,227)  
William J. Daley, Jr. (Reg. No. 34,587)  
Robert L. Buchanan (Reg. No. 40,927)  
David Tucker (Reg. No. 27,840)


Christine C. O'Day (Reg. No. 38,256)  
Lisa Swiszc Hazzard (Reg. No. 44,368)  
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201	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		de Juan, JR	Eugene	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	USA	Baltimore	Maryland	USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		13721 Poplar Hill Rd	Phoenix,	Maryland 21131

202	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		Jensen	Patrick	S.
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
		Issaquah	Washington	USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		25 025 SE Klahanie BLVD #A-101	Issaquah	Washington 98029

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Signature of Inventor <b>201</b>	Signature of Inventor <b>202</b>
	
Date:	Date: